

Image

1632

PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/457,931
		Filing Date	December 8, 1999
		First Named Inventor	H. Ralph SNODGRASS
		Art Unit	1632
		Examiner Name	S. Chen
Total Number of Pages in This Submission	6 + 7 ref.	Attorney Docket Number	441472000100

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  1. Form PTO-1449 plus copy (2 pages) 2. Seven (7) references 3. Return postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Carol M. Gruppi - 37,341
Signature	
Date	February 24, 2004

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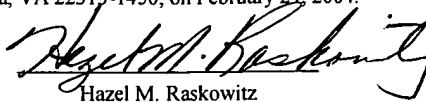
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PATENT  
Docket No. 441472000100

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Hazel M. Raskowitz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

H. Ralph SNODGRASS

Serial No.: 09/457,931

Filing Date: December 8, 1999

For: TOXICITY TYPING USING  
EMBRYOID BODIES

Examiner: S. Chen

Group Art Unit: 1632

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.

I hereby certify that no item of information was cited in a communication from a foreign patent office in a counterpart foreign application or, to the best of my knowledge after making a reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

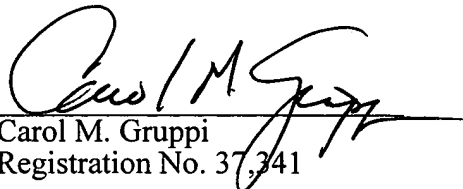
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **441472000100**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 24, 2004

Respectfully submitted,

By: \_\_\_\_\_

  
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Form PTO-1449

Docket Number 441472000100

Application Number 09/457,931

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

H. Ralph SNODGRASS

Filing Date December 8, 1999

Group Art Unit 1632

Mailing Date February 24, 2004

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
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## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
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## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	1.	Carere, A. et al. (2002). "In Vitro Toxicology Methods: Impact on Regulation From Technical and Scientific Advancements," <i>Toxicol. Lett.</i> 127(1-3):153-160.
	2.	Church, V. L. et al. (1999). "Different Effects of BMP Antagonists Noggin & Fetuin on the Osteogenic Differentiation of Human Marrow Mesenchymal Stem Cells," <i>26th European Symposium on Calcified Tissue, Maastricht, The Netherlands, May 7-11, 1999</i> , 64(1):S54, Abstract No. P-17.
	3.	Davila, J. C. et al. (1998). "Predictive Value of In Vitro Model Systems In Toxicology," <i>Annu Rev. Pharmacol. Toxicol.</i> 38:63-96.
	4.	Ji, X. et al. (2000). "Patterns of Gene Expression Associated with BMP-2-Induced Osteoblast and Adipocyte Differentiation of Mesenchymal Progenitor Cell 3T3-F442A," <i>J. Bone Miner. Metab.</i> 18(3):132-139.
	5.	Thomas, R. S. et al. (2003). "Application of DNA Microarrays For Predicting Toxicity and Evaluating Cross-Species Extrapolation," <i>Toxicogenomics</i> ,. Editors: Inoue and Pennie, Springer-Verlag Tokyo: Tokyo Japan. pp 31-38.
	6.	Tugwood, J. D. et al (2003). "Genomics and the Search for Novel Biomarkers in Toxicology," <i>Biomarkers</i> 8(2):79-82.
	7.	Waring, J. F. et al. (2002). "The Promise of Toxicogenomics," <i>Cur. Opin. Mol. Ther.</i> 4(3):229-235.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.